

## **Interview with Christopher Watkins Transcript**

For the Diversifying the Bar: Lawyers Make History Project  
Law Society of Upper Canada

Interviewee: Christopher Watkins  
Interviewer: Allison Kirk-Montgomery  
Interview Date: 28 October 2011  
Location: Thunder Bay, Ontario  
Transcribed by Planet Shift Inc.

*[Transcript reviewed by Christopher Watkins, Dec. 2012. See comments at end.]*

### **Allison Kirk-Montgomery [AKM]:**

Well, good afternoon, Christopher.

### **Christopher Watkins [CW]:**

Good afternoon.

### **AKM:**

We are sitting at 905 Tungsten Street in Thunder Bay.

### **CW:**

Yes.

### **AKM:**

My name is Allison Kirk-Montgomery and I'm interviewing you on behalf of the Law Society's *Diversifying The Bar, Lawyers Make History* project.

### **CW:**

Well it's a pleasure to meet you and pleasure to have you in Thunder Bay.

### **AKM:**

Thank you. I'm enjoying it.

Let's start with Thunder Bay because that's one of your communities, your geographic community, and I understand your that family has been here for four generations?

**CW:**

That's correct. Um, my family initially emigrated uh, from the United Kingdom back in the, back in the late 1800's. One of my family members was with the military regiment that was coming up through this area. And they were heading out west and kind of fell in love with the community on the way through, and on the way back, settled, settled in what was then Fort William; and one of the first actually, one of the first members of the Fort William community.

**AKM:**

Who was that?

**CW:**

Uh, that was William Dodds. And that was my great grandfather.

**AKM:**

And your family's been here ever since?

**CW:**

That's right. My family's been here ever since that time. My grandfather on the other side, on my maternal side, their family came over after the First World War. And...

**AKM:**

Also from Great Britain?

**CW:**

... also from the United Kingdom, in that case. My other family come from Ireland, the Dodds. And the Limerick side of the family came over from um, came over from uh, from England. And um, their mother had had lost her husband. And there were three brothers and one sister who immigrated to Australia. And they came over to this area because she had met a Canadian soldier during the First World War and so she came over to be with that soldier at the end of the First World War.

**AKM:**

And how did everyone support themselves? What kind of work did your family indulge in?

**CW:**

Oh, a lot of, a lot of, you know, on that side of the family a lot of hard work and effort and they got involved originally in building projects. And then they started doing mechanic shops. And uh, eventually the grain industry, which was a huge industry up in this area. You know, it still is a significant industry but back then it was kind of the gateway to uh, to the rest of the world in terms of the western grain movement. And Thunder Bay with its numerous large elevators that you can probably still see dotted across our, our uh, you know, very picturesque waterfront, uh, it was a major grain transportation area. And so um, my grandfather worked his way right from sweeping

2 of 46

floors up to being the superintendent of, of one of the grain elevators here in Thunder Bay.

**AKM:**

Hmmm.

**CW:**

On the other side, of course, William Dodds had come through. And then there was a young man by the name of Watkins who had been a, a bobby in Birmingham and he came over again in the, in the 1920s and he settled in Thunder Bay. And he started working for the local police department here which was the Fort William Police Department. And uh, he met another police officer's daughter, William Dodds, and they met and married and essentially our family's been here ever since. And my grandfather worked himself up to being the Chief of Police of Fort William. And brought finger printing from England over to, over to Fort William.

**AKM:**

And your mother and father?

**CW:**

My mother grew up, grew up in Fort William and she attended a local collegiate institute. And of course she was a younger woman during the Second World War and she recalled the shortages of food at that point of time. And her and her girlfriends went down for the summer during that period of time and they picked fruit, down in Southern Ontario. Because a lot in those days, the majority of soldiers were male, so they worked in that process of assisting with the war effort in that way. And then upon return she was one of the first uh, first women to go to teacher's college from this area. And she became a schoolteacher and she taught for many years in elementary school. My father served with the Navy during the Second World War. And just towards the end of the Second World War he went to King's College and became a lieutenant, a sub-lieutenant in the Canadian Navy. And he was at the east coast at the end of the Second World War. His picture actually up above [pointing to wall], that's his King's College graduation 1944 as a sub-lieutenant in the Canadian Military. And then upon return and coming back after the war, like a lot of younger men, he went off to the University of Manitoba. He started doing a pre-law program and started involving himself with law school and then, because there was a family crisis essentially going on, he came back to Thunder Bay; retooled, and then he became at the end of his career a Director of Human Resources for Ontario Hydro.

**AKM:**

Very interesting. So what year was that that your father was involved in pre-law, \_\_\_\_?  
[0:06:44.9] approximately?

**CW:**

That would have probably been the years '46, '47, '48, in around that time, just after the Second World War when everyone was coming back. As I understood in speaking with him (he's been deceased now for over twenty years) is that the military offered these young men who'd been fighting in the war effort, assistance with schooling. And that was one of the reasons why he went off and had a thought about becoming a lawyer. He never, uh, he never finished that, but I guess I finished that end of the spectrum for the family.

**AKM:**

So was law something in your mind since you were young?

**CW:**

It was something that was in my mind from a fairly young age, but the real connection that kind of drove law was that my mother upon her retirement (if there is such a thing, she's a very assertive uh, assertive individual) she took on a job of being a court constable at Superior Court. And so she would be involved with all the jury trials and all of the big trials that were going on at the courthouse, then what was called Port Arthur. And she would regale us with all of the stories and uh, and I think my interest started to bloom from a fairly young age because of that; at the interest of law and perhaps criminal law or human rights law.

**AKM:**

Very interesting. And do you have brothers and sisters, Christopher?

**CW:**

I do. I have one brother, Michael, who lives in Boston at this time. And, Michael went to high school here in Thunder Bay; graduating with the gold medal from high school. And then he went to the University of Waterloo. He took electrical engineering there and graduated at the top of his class. And then he was accepted into a combined MBA-Law program at Western, where he attended the first two years and then he got one of I think, two or three Commonwealth scholarships in the world. He went to Harvard. And he took at Harvard, he took the MBA program first and then he took his PhD in Business Science. And then he taught at the Harvard School of Business, he taught the MBA program. And, subsequently he, well, first he taught at the Kennedy School of Government, then he taught the Harvard program. Then he formed a consultant company. Still doing work through Harvard. He's authored five or six significant books on business through the Harvard press. His company consults around the world. And he's presently taken uh, a professorship position part-time with a business school in Switzerland.

**AKM:**

Amazing. Amazing career. Amazing family that you come from.

**CW:**

Yeah, we had education, was something that was always, always encouraged in the family home, both by my father and by my mother. And uh, I think just their, their interest in education and learning was something that was always something that was very, very uh, focused on, right from, right from the time we were quite young. And even you know, those days, a little more traditional around the three meals that you would have in your family home the discussions would range on different topics. And you know, in the days of Internet today of course we have access to so much information but then information was so much more limited. And yet they had a very wide world view and because of that, that was instilled at young age. And also kind of uniquely, as a person as a person in 1959, growing up in the sixties and seventies, uh, you know one of the things that I think that was very interesting with the family was just the idea of equality that was instilled in myself and my brother from a very young age in terms of equality of people from different races, backgrounds. This was something that was openly talked about. And we would talk about discriminatory practices that were happening in other places. You know, during the sixties there was still you know, kind of the “back of the bus issue” in terms of things in, in down in the States with people of African American descent. There were, there was certainly a lot of I think still heightened uh, inferential discrimination against women. I mean, women had not yet emerged to the level of equality that they have obtained, and I’m not saying they’ve reached the perfect level of equality. But a lot of women were discouraged in those days from obtaining jobs in certain fields. And again, my mom was one of the first school teachers who had gone out. And, you know, I think from a very young age we, we were taught to look at people as people and judge them as people, know their background uh, but never, never judge people on the issue of what their race or background or education or, or, or the, or any of those sorts of factors. And I really grew up in a way that I just don’t feel that they’re part of myself or my psyche. And I find myself very fortunate because I know a lot of people in that era didn’t necessarily grow up in that environment.

**AKM:**

You also grew up in an atmosphere of institutions being accorded quite a bit of authority and importance in maybe the fight for equality, would you say?

**CW:**

I think that’s a fair uh, that’s a fair analysis. I think that uh, um you know it was certainly a period of evolution in terms of human rights at that time. Uh, we did receive a lot of that inferentially again though the U.S. There was certainly a human rights movement, a large one going on down there at the time in terms of African American presence. There was certainly a lot of human rights issues that were merging with regards to equality rights between men and women in North America. And uh, it was an interesting time to be involved with and evolve. And of course uh, interesting time uh, I reflect back as well and you know, I’ll see sometimes two other people around me, “Do you remember stop, drop and roll?” and they said, “What was stop, drop and roll?” I said, “Well you have these little children in your school class, little, little minds and they’re being taught to basically stop to get underneath their desk and to roll over to protect themselves from

5 of 46

the atomic weapons that coming from Russia.” So there was a lot of fear. There was a lot of fear that was pervasive at that point in time in the sixties, early sixties and uh, early to mid-seventies about the threat of nuclear warfare. And of course it was during the time period where the Berlin wall is up and a lot was happening in terms of philosophical viewpoints between east and west. And a lot of tension and you know, I also can relate back and remember that the Vietnam War uh, you know as a child you’d be watching the kill statistics from Vietnam coming up uh on your nightly news. And it would be how many people were killed or wounded and how many of the bad guys had been you know, killed and wounded. So you grew up with this very interesting time period I think in history where there were a lot of external pressures. There was a lot of militaristic presence uh, uh being placed for the first time in front of people. I think it’s actually more constrained today. Uh... I think there’s more roadblocks to full journalism in terms of those sorts of efforts. And because of that you had this really changing viewpoint of what war was, whether it was glory or just a very terrible thing. Uh, a lot of changing economic times, a lot of changing times from the perspective of uh... uh.... people’s views on other people. And it was an evolutionary time.

**AKM:**

And you make it sound like, at least in your family here in Thunder Bay... it was all right here with you. Thunder Bay was at the heart of everything like you felt connected to these larger movements in other places distant.

**CW:**

Uh... absolutely I think again because of the good fortune of having parents that had a wider worldview at the time when world travel was still relatively limited and world news was still relatively limited. I think we were very fortunate in getting the type of education and the type of viewpoints we did from our parents.

**AKM:**

So... did you consider yourself a northerner and a city person, and / or?

**CW:**

Um... you know I... I don’t know that at that time I considered myself anything more than just you know, a kid growing up in a northern community. You don’t see that perhaps...you always look at things from your perspective, right?

**AKM:**

Of course.

**CW:**

And uh... you know I feel a very strong connection with the north. Uh... I feel a very strong rooted connection with our community. I feel that it is important to be assertive in

6 of 46

one's viewpoints and to uh... propone for the north but I do consider myself a strong northerner.

**AKM:**

Good. Now, I know that your accident happened in 1988 and I'm guessing that that was a huge division in your life. I wonder if you can describe... am I wrong?

**CW:**

No I think you're absolutely right. Uh... I think that that was, and it gets back to that being tied to the north. So you know I grew up in Port Arthur essentially. My family had moved with the hydro projects a bit through, through my younger years with Ontario Hydro and working his way up through. But we always considered ourselves rooted here as more in Current River. And if you're from Thunder Bay you understand there's like Current River and there's the East End and people identify with areas of your community. And I'm a Current River guy, you know, and uh... so growing up here. And I went to university here and I took a business degree. And then uh... you know after my business degree I went to Toronto and I had a job offer from Proctor and Gamble; because I just finished my business program. And uh... I also had a job offer working as a grain handler at the grain elevators here. And I just, you know I just couldn't bring myself at that time to leave Thunder Bay. So I didn't take the business job with Proctor and Gamble. I worked for, for close to four years as a grain handler on the waterfront after my university degree, unloading box cars, you know, moving grain uh... a very physical job, considered a tough job opening those box cars and it was a very physical labour intensive job that I had.

And I just spent those four year kind of formulating what I wanted to do with my life and what direction I wanted to go with it. And uh... you know it was meeting a lot of people from industry and you know Thunder Bay is a very industrial town. So I was immersed with a lot of people with those backgrounds and I just loved the people, loved the people that I was working with. Loved a lot of the different cultures they brought because a lot of them were immigrants themselves, you know, from different places like Italy and uh... some countries you know some of the Eastern Bloc countries and Finland and uh... which is not an Eastern Bloc, but a lot of immigrant population. And you just learn what richness people have to offer from their cultural backgrounds and diversity. And there was one older Italian fellow there who said to me towards the end of my time there he said, "You know, Chris you're a smart guy." He said, "You know, I've worked my heart out because I don't have an education." He said, "I came over here and I worked my heart out so that my kids could go to university." And he said, "You really need to get back at it." And he said, "Not that what we do isn't a good thing." But he said, "You can do something else beside this and use the education and what you've had." And I thought about it and he's right.

So I went back to the drawing board and uh... my first love all the way through from the time I was a child all the way through school, I was in every school play, I was involved in every school production, I took theater arts in high school, I managed all the theater

7 of 46

*Christopher Watkins interview by Allison Kirk-Montgomery*

*The Law Society of Upper Canada Diversifying the Bar: Lawyers Make History Project*

*October 28, 2011*

productions there. I involved myself in theater outside of the school environment. And I was very involved with theater world and enjoyed it very much. And uh... you know I kind of always thought about going to Ryerson and taking film production and that was a great interest to me.

So uh, around that time period I just kind of got up and moved and I moved to Toronto. And I started working in a little restaurant downtown in Yorkville. And I was a musician as well so I was playing music at night. And started to work on the feature film business. And started working carrying boxes and within about three years I'd worked my way up to becoming an assistant director on TV programs, uh... on TV shows, feature films, movies, Canadian productions and uh... had also been doing some acting roles as well in various television commercials, uh... TV programs, doing some stunt work as well on various programs and feature films and movies. And I've worked with a lot of the big name stars that you hear about today and was really focusing on a career behind the camera in the film industry. And uh... you work freelance for companies and I worked freelance for a number of years and I think I developed a pretty... pretty great reputation within a fairly quick point in time within the Toronto film community.

**AKM:**

So you were how old during this period? Your 20's?

**CW:**

Uh... 26; 25, 26, 27 and uh... things were going very, very well and I'd just been hired to work as a third assistant director which works as a first assistant director on a TV program called *Street Legal*. And I was just supposed to start a small role on *Street Legal* as well. And uh... to put this kind of thing in perspective, you know, my accident happened just before I started working on that show. But here years later, all these years later, I'm working up in Thunder Bay and there's a Toronto lawyer who's come up who I get to know, AJ Bickerton, Albert Bickerton. And uh... he's an older gentleman, he's quite funny and articulate and we're working. And I said, "Well, what's your background, Albert?" And he said, "I used to write for a TV program called *Street Legal*." And uh... and, he uh... I said, "Well isn't that funny how things have kind of come around in the larger sense that uh... I was supposed to work on your TV program you know, 20-30 years ago."

But uh... I was working on a Canadian feature film north of Toronto that later won a Canadian award. And I was coming back and I was hit in a head-on car accident. And uh... essentially my car folded in half and ended up in the side of a construction ditch. I was airlifted into hospital and I had uh, you know nerve damage in my right side through my right leg. I had an upper spinal cord injury. I broke my shoulder. I snapped my collarbone. I had a head injury. I had damage to my eyesight in my right eye, which I still have today. I lost my balance. Uh... and I had to have reconstructive surgery on the right side of my, my face because it was crushed; the zygoma was broken. Uh... even today you know, I have loss of partial feeling through my right hand, up my arm and uh... go through periodic periods where uh... where (right now is one of those periods) where my neck injury is again probably worsening. I'm losing more feeling in my uh... in my right arm and right side, and I have to go in for MRI's again within the next month or

8 of 46



so, to just find out what's happened. I guess the suspicion is that a disc that I herniated then has now ruptured completely. So you go through periods where the paralysis sets in, where you have no feeling in your arm and your muscles don't work and chest, in the right side of my chest and then when it does kick back in, I guess when the nerve entrapment stops, it just is excruciating pain.

**AKM:**

Does it affect your breathing as well?

**CW:**

I haven't yet had it affect my breathing but I understand that's a potential concern if it continues, right down to bowel function.

**AKM:**

Uhhuh... so have you had surgery since that initial round after the accident?

**CW:**

Yeah, no. I had about a year solid of rehabilitation. I was at a rehabilitation hospital in Toronto, I went through water rehabilitation therapy here. I had surgeries here. I've just basically been left at the level, because you don't get back, right? I mean, you don't get back when you have any spinal cord injury. You just stop the deterioration. Well I've been relatively fortunate that through the years I haven't had further problems in terms of deterioration. You know, I've been left with certain weakness on my right side and some peripheral issues uh... had improvement to my balance issues, which were really fortunate. Uh... you know I have times when... certain times of the year uh... you know, you're always in pain. Since that accident I've always been in pain. You learn to manage that pain like anything else uh... but this is kind of, I think, age hitting the accident in a more intense way and it's just another round of what you deal with.

**AKM:**

Yes... always in pain. That is uh, ...quite a statement. It would take a long time, to first of all, deal with the pain and secondly to get hold of the 'always' part. Like... your own sense of being a person with disability... can you discuss that process?

**CW:**

Uh... you, I try to look at the wider sense. Everybody, regardless of who you are, I believe uh... carries something within them that is going to be something that they're going to have to surmount, at one point or another, whether it's personal history or whether it would be physical or emotional, we all go through times. And you know I look at it as a continuum. I feel fortunate that I have the level of ability that I do have. And uh... I guess I'm one of those "cup half full people." I really am. And I just look that I've been so fortunate to continue to do so much. I don't, I don't view myself as being disabled. Um... I don't even like the term disability because disability means something less than ability. In my mind, I think there should be another word for it and I've

9 of 46

discussed that with David Shannon, my very close friend and colleague, who's got quadriplegia. And uh... you know, I think having people like David in your life is important because I mean, on that continuum of the physical impact of an injury, he's much higher up on the continuum level. And yet, he's one of the most able people you'll ever meet in your life. So you know, I mean what constitutes a disability or something less than, than full ability... I don't like that categorization. I think everybody has injury or uh... had to go over and deal with barriers. Uh... but I think it's how you deal with those barriers and surmount them. I don't think any of us have roadblocks that we can't surmount and David, I think, is the epitome of that ideal. That uh... you know, you focus on your strengths and we all have strengths. And just because you have a physical injury does not mean that you cannot still have a full, complete, very fulfilling life. And uh... you know again I've had a lot of deep discussions. David and I have spent a lot of time together and I have never felt disabled. I understand that I've suffered physical impacts but uh... you know, I think that you learn to manage those things and focus on other strengths. And uh... I think that's, that's the nature of moving forward and the whole idea behind a lot of our projects, the whole idea was that there's no barrier that cannot be surmounted. There's nothing out there that you can't do if you place your mind to it and focus on it, and you have a will and wish to accomplish it. Uh... and that was the North Pole. Right? There's a perfect example. There's something that people considered such a significant barrier but with time and technological changes and pulling resources together, if you have that type of drive to want to do that, uh... whatever it be, you can accomplish it.

And it was demonstrative. The purpose of that was to demonstrate to other people because a lot of people get caught in the idea of disability. And a lot of people get caught in the pejorative nature that a lot of people in society have about disabled people. And uh... again that they're less than able for some reason. And they form preconceived beliefs and that's the basis of any discriminatory practice, right? is that they form a preconception about a person because of a label. And because of that label or because of their difference, it makes them somehow less than equal. And when you start treating people as less than equal based on those things, that's where prejudice arises from. And I think that by going to the Pole and David and I putting up the handicapped parking sign at the North Pole, the message is pretty clear. It's that you've got, people have to rethink what less than equal is and whether disability really fits into that or whether it's just about all of us maximizing our potential with whatever strengths we have.

**AKM:**

I hear you. When did you meet David?

**CW:**

Uh... David and I go back to uh... around the mid to late 1990's. We met as lawyers here at Thunder Bay initially. And uh... of course I knew about David and his cross-country trek on his, on his uh... electric wheel chair and you know, him driving off the road one time [laughing] and going off...

**AKM:**

Into a ditch.

**CW:**

... into a ditch and breaking his ribs. And you know he's kind of a local folk hero and legend. And you know, around that same time period, I was setting up my "*Climbs for Kids*" [project]. And that was a big deal for me because I'd lost my balance and didn't ever think I would be able to ever do some of things I've been fortunate enough to do in terms of mountaineering. And I picked that because I knew it would be very challenging considering the injuries I sustained, not the disability I sustained, but the injuries I'd sustained. And so I also felt that it was important to raise awareness. So I was fundraising for those projects and I was funding them entirely out of my own pocket. And fundraising and uh... sometimes I would bring aid over to those countries to orphanages or to kids or to hospitals or whatever there, and raising money for charities for kids and awareness for things like disability. And just trying to change from my perspective that viewpoint of what disability means. And I knew David was very very involved in that because of his past history and uh... in 2002 I became involved with a group of crazy Texans uh... out of Austin lead by Gary Guller who's still a very good friend of mine. And uh... you know I'd been mountain climbing around the world and gained a fair level of skill as a high level amateur in doing that kind of work...

**AKM:**

All since your accident?

**CW:**

All since my accident. And uh... you know I had to develop special techniques for dealing with that for dealing with the injuries that I sustained and how and when and why and all of those kinds of things of dealing with that process. But then again, you know. Mount Everest... people uh... with uh... artificial limbs have climbed Mount Everest. People who are sightless have climbed Mount Everest. People with diabetes have climbed Mount Everest. And for the same reason, just to demonstrate that their injury will not prevent them from taking on extreme challenges. Uh... it's a whole idea of equality. So what I loved about Gary's process was that Gary, who had lost an arm uh... mountain climbing in Mexico when his rope team went down and several members of his team were killed and his right arm was ripped out of his spinal cord uh... lost its spinal cord roots. So uh... Gary is a one-armed mountain climber who had tried to climb Everest the year before and didn't, or two years before and hadn't (I think it was in '01) and had put a team together. And part of the team was to bring a group of people with disability, I say injury but disability,... from across North America or to Mount Everest to get up to Mount Everest base camp, as the first stage of that. And just to put that in perspective, that's like you know, forty kilometers of some of the roughest terrain in the world. To get up uh... you land on a landing strip on a high plateau in the Himalayan

11 of 46

Mountains. Then you have to climb through forty kilometers of trails to get up to Mount Everest to 20,000 feet. The base camp is higher than most of the highest mountains in the world. People die of altitude sickness every year getting up to Everest base camp. So uh... you know, and it's not forty straight kilometers, it's forty kilometers of down a kilometer, up two kilometers, down... it's a very, very treacherous terrain with cliffs and walking along the edges of mountains and very, very difficult. And that team uh... was made up of one person with quadriplegia in a wheelchair, one person with... two young men with paraplegia in wheelchairs, a fourth person with spina bifida in a wheelchair and fourteen other people with cross disabilities, as they were called, ranging right from artificial limbs, legs to uh... emotional difficulties. And uh... so that was the first time that anything of that magnitude had ever been tried around the world. And uh... I was interested just as a climber, number one participating because of the nature of the statement they were making, and number two, I just you know, always loved the idea of going to Mount Everest. So I participated in that *Team Everest '03* and uh... we were successful in... I was one of the, one of the guides, and we were successful in getting our team all the way to Mount Everest base camp. It was a world first and it kind of hit the world press and then all of a sudden the first war in Iraq kicked in and it kind of got a little bit buried unfortunately. But uh... it's a movie. It's called *Team Everest '03: A Himalayan Journey*. And it's won many awards. You'll see me walking behind Gary as we're walking up through the Himalayas. And it really is a celebration of fortitude and transcending barriers.

So to get back to the point, David was here and he knew I was going away and he agreed from his background to help out with some of the organization from the ground perspective, and help us with media interactions because he was fairly skilled at that. He didn't have time to actually participate at that point in time. And he started talking to me at that point in time about you know, what sort of other projects could we as two people from Thunder Bay uh... get together on and uh... and maybe accomplishing. We always talked about the fact that you know, he'd gone from coast to coast in Canada from one coast to the other, but kind of the top of that triangle was the North Pole. You know, my mind started whirling and I started thinking. And he's thinking. And we brainstorm and we start meeting and then we start thinking about putting together a team. And then over from 2003 up until when we, we made our uh... North Pole trek, you know, through those years we planned and put together teams and dealt with many barriers, financial barriers uh... physical barriers um... a lot of barriers. And people just saying, "It can't be done, it's just impossible." You know, "Are you crazy? Like... you know, what's going on?" And people say, "Why would you even try that? Somebody's going to die and it just can't be accomplished." And the more people told us it couldn't be accomplished the more we knew we were going to accomplish it.

**AKM:**

I can see that.

**CW:**

And uh... you know, we really worked together as a team. The two of us we built a special sled and we did training out at the Nordic Center. And uh... we started putting together the logistics. We did it on a shoestring budget by greater means because we funded this out of our own pockets again. And uh... we routed ourselves up through Norway, up through a small community, a small island that's half Russian and half Norwegian called Svalbard. And then we uh... arranged to get on an ancient 70's soviet era uh... plane to take us up onto the ice pack. And met up with a bunch of Russians there. And then plane, train, automobile, dogsled, helicopters uh... snowmobiles to the North Pole. And uh... you know, we made it to the North Pole.

**AKM:**

Incredible.

**CW:**

And we put our sign up and uh... we're looking around and uh... all of a sudden it kind of hits you. "Wow".

**AKM:**

(laughs)

**CW:**

You know this is pretty amazing. And it you know, David had not been well. Uh... he was suffering from another recurrent bladder infection; which is a big problem with David's form of injury. And uh... you know, but he struggled on with it. We went all the way. He was... there was no turning David back once he gets his mind on something. And uh... there we were. We were literally you know, uh... situated right at the top of our planet looking out, you know at the horizon. And it's very Mars-like up there. It's very... uh... the snow is almost like almost like sand and crystalline and it was very cold uh... extremely cold. And uh... but it was just an amazing moment and an amazing sense of accomplishment.

And the message kind of went out around the world that uh... something unusual had been done, something that people didn't expect was going to work. And we made it home, both alive. We both had a few little further injuries from our trek. But uh... there was just a huge sense of accomplishment that there had been a statement made about barriers and about breaking down barriers. And that was what that was all about. It was about breaking down barriers, people's perceptions of what disabilities are. And uh... I think it was a significant statement because it's something that everybody knows about, the North Pole. They know it's a difficult thing to get there. They know it's out of the ordinary and the last thing I think they expect in the world was to see a person with quadriplegia at the North Pole, sitting there in his snowsuit holding on to a disability parking sign. Which really says, you know in terms of you know, "Hey, we can go anywhere, we can do anything."

**AKM:**

I have seen the photograph and it is amazing, in fact it's almost stunning. Your message would be for both people who don't consider themselves having any impairments or disabilities and for people who do have disabilities.

**CW:**

Oh yeah, it was certainly not a limited message and it's certainly to people who are considered to have disabilities to say that anything is possible and never to lose hope. And never lose sight of the fact that anything can be accomplished. It was a message to people without disabilities who perhaps are pejorative towards people with disabilities to rethink their approach towards disabilities. And it was just to people as a whole who don't have that just to celebrate the fact that, as people together, humans together when we get together we can accomplish anything as a group and as a team. And uh... no matter what your dreams are, never give up on your dreams. Uh... whether you're considered able or disabled you know, never, never lose sight of the fact that if you really want to do something it's never too late. You can always refocus. You can always accomplish what you want to do in life and just to celebrate life, really.

**AKM:**

Is this what you take into your law practice too?

**CW:**

I think so... I think so. I think I take a very strong sense of social justice into my law practice.

**AKM:**

I can imagine that there are a lot of people who see you as an incredible man who has done incredible things. And they have impairments. Do they, maybe just can't imagine themselves doing the kind of brave things that you've done. How do you manage that in terms of a client/lawyer relationship when they're on the other side of the desk here?

**CW:**

You know, I... don't really think about that. Uh... and I think I would never put that on the table. I think that once people start talking, people are people. And you know, just because we made a big statement through something that visually appeared to be a lot uh... whatever people have done. I don't think it should place you on a different level than other people. And I'm a big believer in that. That you know, we all bring challenges and we all bring... when that client is there I'm focused on the client. And you know I mean if I sense that there is something there in terms of a barrier in the communication because of that, I try to relax people and just say, "Hey, you know, hey just relax. We've got to get through this." And just take a very human approach. I mean quite often it depends on the area, if it's criminal law you're dealing with people that are probably in a very bad position in their life. Uh... often dealing with impoverished people. Uh... a lot of my practice that I've focused on throughout the years has been a poverty law criminal type of practice. Uh... so you know a lot of those people, I think, are in the most need of help in terms of good representation. Uh... and I think a part of that is communication.

14 of 46

What we do is we're supposed to be effective communicators. So I try to refocus them on their issues and I say, "Hey, the focus here isn't on me, it's on you. And we've got to look through as my career, you know it's not about what I've done, it's about what you're dealing with and how do we get you through this time period in a principled, ethical way uh... by focusing on evidentiary issues and the things that us lawyers have to do from a professional perspective." And I find that there may be initially a few minutes of things but then we get down to the business of doing what we're doing in a professional manner.

And uh... you know, a lot of times I won't meet in this room. I'll meet over in the side room which is more of a round desk and where there are less barriers in terms of big desks between people. And uh... and uh... you know I may sometimes just take a walk with them and just talk with them and just try to put them in a position where they are relaxed enough to talk about the things that are obviously quite often very sensitive. And I just try to respect people. I try to respect people and respect whoever they are, that all people generally speaking have some great components within them and you just try to bring out the best in people and focus on those issues.

**AKM:**

Do you disclose to your clients that you have impairments? Do they mostly know that? Do they ask about it?

**CW:**

You know... sometimes people do. They'll... you know I think that a lot of them know that I received an injury you know mountain climbing years ago on my foot and they'll say, "How's that foot?" You know they'll kind of laugh. But it's more... I think people are aware. It's no secret that I was in a car accident years ago and uh. But most people just call me Chris. And I think I'm pretty well known in our little community. And I think most people find it pretty easy to talk to me regardless, right from... you know people at the grocery store or whether it be walking down some of the roughest areas in Thunder Bay. It would be, "Hi Chris, how are you? How you doing?" "Hey, you know, not bad." And have discussions and not always legalistic ones but just try to, "How's your family?" Just try to conduct yourself in a way that that people feel comfortable. And that I really am interested. You know, it's not just to make them feel better. I am interested in hearing about what they have to say about themselves and their family. And I always try to get on to a good point. I realize that sometimes I am dealing with people in a difficult point but I try to focus on some good points in their life, you know, whether it be their children. And I'll always talk to people about, "Hey look, you know this is a terrible point maybe in your life" if it's criminal law, but I say, "Don't give up on your dreams, get through this." I don't mean it as a pep talk. I don't mean it in any way trying to place myself on a different level. I just say, "Hey look," the same kind of thing, "If you've got dreams, things maybe haven't gone so well the last few years for you. But you know something, if you're dealing with an addiction issue, put it behind you. And you know, go out and accomplish those things that you've wanted to. It's not too late." You know, "it's not too late to fulfill your expectations of wanting to go back to school." Or if you run into

15 of 46

the person quite often who has uh... you know quite often what you'll find is a lot of people who end up in the criminal justice system. They end up there because of poverty and one of the roots of poverty is lack of education. A lot of the people I deal with have learning disabilities you know... or challenges. And uh... you know some of them can't read, some of them can't write. And I'll say, "Well look, have you talked to somebody. Can I get a hold of somebody for you?" You know try and get resources to people. I think that as a lawyer our job should go beyond just the representation on that one case. The successful answer is when they don't come back into the criminal justice system or into recidivism. You know, the biggest reward for me is when I go out into the community which I do and I'll meet that person who'll say, "Hey, you know I'm doing so well now. I've turned my life around. I've got a job now and things are good." I'll go, "Wow, you know you've just made my day because uh... in my line of work you don't always hear the great rewards." And when you get those rewards that people are doing well... that means a lot to me.

**AKM:**

I can see that. Let's go back to your period after your accident. It sounds like you were busy just recovering a little bit for a least what, a year?

**CW:**

About a year. Yeah, about a year solid I was, ah I was in recovery mode doing therapy, doing water therapy, physiotherapists, uh, going through surgery and formulating a new... and dealing with some aspects, quite frankly, of head injury and some memory loss and all sorts of issues. And just adjusting to "where do I go from here?" Right? Because I really had loved the film industry and just absolutely, you know, had a wonderful time there. And met people and had a wonderful, just excellent relationship with people in that industry. And I worked very hard at it to... with you know, with limited educational background in film, to educate myself into the nuances of film with over a relatively short period of time and worked with some great directors and some great actors, and had really thought that was going to be my career choice.

But you know, I always say to people, "I guess what happened I got knocked on my head so hard that the last thing I remember was *Street Legal*. So you know, when I came out of that I must have thought, "Hey, I've got to be a lawyer" because that was what they were going to make me part time on *Street Legal*. "I say it of course laughingly and jokingly. But uh...

**AK**

But really did you not see a way to stay in the business you loved?

**CW:**

That was, that was the key. And what I thought was going to happen was I thought I would go to law school. And so I had to develop a plan to make that happen. Which I did. I went back and took a BA in psychology. And I transferred credits from my business degree and within a year I did all of the years of the psychology program. I

16 of 46



graduated with first class honours and with scholarships out of the psychology program. And um...

**AKM:**

Why psychology?

**CW:**

I think just guess because it gives insight into people and insight into um, how people work through things. And I think at that point in time, having lost my career, having lost my focus for a period of time, you face a lot of things. You can go through depression and you deal with a lot of, a lot of issues. And I can see where people with you know, labeled disability can go through some very difficult times and try to adjust or adapt to a whole different life. And I kind of felt that my world had been pulled out from underneath me, in a very... in a moment. And you know I had also gone through a pretty significant trauma with the car accident as well. So I was just kind of you know... and they were talking post-traumatic stress disorder, those sort of those sorts I was dealing with after being in a severe car accident. So it kind of twiggged an interest. And whenever I get an interest I have to go and, and figure it all out. So I thought that would be a great program. And I also thought as an alternative, it's maybe a good area to involve myself within professionally at some point in time. It's a good, it's a good grounding degree whether you're working in any area. And I thought it would be a good degree to lead up to potentially a law school career as well as you're dealing intensively with people and interactions. So I took that degree and then I wrote my LSAT. And was accepted to the University of Manitoba and went there for my law school.

**AKM:**

And why there?

**CW:**

Uh... well, I had... and this was how my plans kind of changed. I initially thought a natural extension would be, "go into entertainment law". "Get into producing." Right? So I thought I would go to law school and I would come out. And then I would... if I wasn't physically able to climb up on ladders which I later could have perhaps, and do all the very physical sometimes twenty hour days that we do in film production, that I could get involved in the production side of things... producing, contracts... all of that side. Get into that area of entertainment law. And so I thought, "I'll get a law degree and I'll head back to the entertainment industry, likely in Toronto," because I knew so many people there at that point in time.

Well, I met a girl, [laughter] here in Thunder Bay. And she had a daughter. And uh we uh... we became very close and she left her career here, and we went away. And we needed a law school that, number one, it was fairly cost effective, uh that was close to our families here. And the closest law school at that point in time (still are until we build our new law school)...

**AKM:**

... until next year, I guess.

**CW:**

... until next year... was the University of Manitoba. So I decided upon that. I'd been accepted I guess into three different universities and went to U of Man.

**AKM:**

Did you marry this person?

**CW:**

Yes, I did.

**AKM:**

What's her name?

**CW:**

Aria.

**AKM:**

Aria.

**CW:**

Yeah, Aria. And um, we went off to law school and had another child in Manitoba. And then I worked my way up through law school of University of Manitoba. And involved myself in legal aid clinic. And started developing an interest in criminal law. I uh, I worked uh, dealing with a lot of aboriginal legal issues. I think I was... I had the second prize in aboriginal law. I won the uh, I won the school prize for Crime, Law and Society which is pretty well what I deal with, humanitarian ventures. I won the law school prize for that. I was a finalist in the Solomon Greenberg Moot Court Competition. And I was also on the Jessup Cup [international law moot court competition] team for my university. I involved myself in the student university, in the uh... in the uh the law school uh, student government, governance as well. And I was very actively involved with the association there. So I was very busy. It was very busy productive years, very enjoyable. And I really worked hard. I was a Dean's honour list student at U of Man.

**AKM:**

So this was just a few years after your accident.

**CW:**

Yup.

**AKM:**

Your accident is what... '88?

**CW:**  
'88.

**AKM:**  
And you were called here in '95.

**CW:**  
In '95.

**AKM:**  
So we're talking about the early nineties.

**CW:**  
Yeah, about, just after that year, I'm the type of person that I really focus and I just refocused on law and uh I really like to try um... work very diligently in whatever I do. So I really put myself into that process and graduated. I was offered it, because of my mark level and background, I was offered a job with one of the larger corporate law firms in Manitoba. And then I came back to Thunder Bay.

**AKM:**  
You turned it down obviously.

**CW:**  
Turned it down.

**AKM:**  
Did not want to live in ... wanted to live in Thunder Bay let's say, or what?

**CW:**  
Didn't want to work in the big law firm.

**AKM:**  
Corporate.

**CW:**  
Didn't want to work in that environment. Just wasn't a fit for me. Um, came back here. Was offered articles in civil law firm. Um again, turned that down. Then went to work for a person by the name of Alfred Petrone who was a, who was a, he's deceased now, he was very well known criminal lawyer from this region, I think once considered one of the top ten in the country. And um, one of the people who petitioned along with Justice [Arthur] Maloney for the repealing of the death penalty. And he canvassed for that. He was also big in social justice in terms of *pro bono* work that he did for people. He never really spoke about it. He did a tremendous amount of it. He also, um, I believe was one of the founding members of the Advocates Society. And he participated as well significantly in a lot of the local law association matters here from an initial... he's kind

19 of 46

of legendary up here in the north, and with a strong sense of social justice. So I articulated for his firm. And started out with him. I was his last articling student. He retired the next year, and he moved to a small law office to continue to handle his corporate interests here in Thunder Bay, along with his wife who was practising law, Celina Reitberger, a well known First Nation lawyer up here. And um, they invited me to come down. And I spent the next ten years with the retired Alfred Petrone QC and with Celina Reitberger. And um, Celina was practising criminal and of course I had an amazing mentor in terms of a resource of Alfred Petrone to be able to talk to cases about and to get insight on, on significant legal issues that he had the skill level to mentor on. So I was very fortunate and formed a very close friendship with him, in that relationship of a mentor-mentoree through the years and I just had a tremendous amount of respect for him.

**AKM:**

And that was here in Thunder Bay?

**CW:**

Here in Thunder Bay.

**AKM:**

For the whole period of that?

**CW:**

For the whole period of that.

**AKM:**

And Aria, did she become a lawyer?

**CW:**

No. Aria did not become a lawyer. Aria worked in the accounting field. And uh, she continued on in the accounting field. Um, we are no longer together. But we're very good friends. And um, believe it or not, she works here. She does all of our accounting for our law firm. So we had a friendship long before we were together and married and we continued that friendship and co-raised our children together. And they are both great boys and very, very successful. And I think because we've managed to maintain that closer relationship for our children. And this very close friendship that uh... it's kind of like I said, sometimes I say, "I make, I make a better ex-husband than I ever made a husband". I worked way too much. And never spent enough time. And I'm you know, the first one to admit that. But uh... she's, she's done a great job of raising our boys. And again, education was always a big thing from her family's perspective. They emigrated. Her mother and father emigrated from Finland. Very limited English skills. And the children were taught education is important. My boys with Aria have had that instilled upon them again from both sides. And that equality ideal. And my son, my oldest son has just been accepted into university. He's taking computer science. He graduated with the gold medal in computer science of a high school. And he was one of, I think of five

students in the country who took their university program credit in computer science while still in high school.

**AKM:**

Amazing. What's his name?

**CW:**

Kody. And my other son Kyle is fifteen. And uh, he got the highest marks in grade nine in the same high school last year. A ninety percent average. He's been chosen both years for the leadership conferences and he's a, he's just a great, great young guy and a lot of fun. And really nice kids.

**AKM:**

And they both live here?

**CW:**

They both live here.

**AKM:**

Yes.

**CW:**

Yeah, they both live here in Thunder Bay and I just think the world of them.

**AKM:**

That's wonderful.

**CW:**

Thank you.

**AKM:**

So, you seem to have developed... you were able to turn away from entertainment law very quickly. I'm amazed. It wasn't difficult, to think about that as a career... to switch to criminal?

**CW:**

Um, you know I think that uh, what happened was at that point in time, as you all should be, I was thinking of family first. And it wasn't going to be as successful. You can't do entertainment law at that point in time and I don't believe you could do it successfully today in Thunder Bay.

**AKM:**

No.

**CW:**

I think you have to be in the centers of where that's happening which is going to be Toronto, Montreal, Los Angeles, New York. And if you want to make a successful career.. I realized we were not going to be moving. So I disabused my mind of that and decided to focus on um, on where I thought I could make a difference. Whether it be doing poverty law and criminal law or whether it be taking cases of interest on representing victims of sexual assault in civil files,

representing victims of institutional sexual assault. Um, I tried unsuccessfully to sue a town, the town of Marathon, on behalf of some young man who'd been abused by a past reeve there. I can't talk about what's happened with that case. It has resolved. It was a multiple claim. It wasn't just against the city, the town. The town part didn't work. I won't say if the other part did. But it is resolved. I also was one of the lawyers who did take on various churches and church groups on behalf of abused young men at various stages in my career. Uh, I still do an active practice in criminal injuries compensation. I also take on files from criminal injured compensation clients that I don't ever see sufficient settlements. I have one younger woman who was abused as a young women in a sexual uh, in a sexual assault. I took that case and litigated her case to a trial with a, with a successful resolution on her behalf. Uh, I've involved myself with issues involving young people. One young child who was killed on a, on a bus accident. And just from the, and again, [I'm] very vocal on the issue of why aren't there seatbelts on buses to protect children; and going through all the statistics.

So, you know anything that that has a human rights aspect to it through the years, I've done. Quite often I you know, have not considered funding I've considered it to be an issue involving human rights in a larger scape or poverty law, in larger scape. Uh, you know, I had started in recent years moving into personal injury litigation more. I think given myself, what I've gone through in terms of injury gives me some insight and some empathy with people who have gone through that process. I myself used funds from my um, my accident to help fund myself through university for law school. And I felt that I had a good lawyer at that point in time and I was glad that I had the protection of a good lawyer during that critical period of my life where I was very exposed. So I think, you know it leads you to the conclusion that people who have real injury need *good* counsel to ensure that uh, the dealing, as I am twenty years later, with a, you know a deterioration aspect. if you're not accounting for that twenty years ago, you can be in a very bad circumstance. So I think having that insight allows me to, has allowed me to develop uh, you know, an emerging, more, into more personal injury standpoint. It won't stop me from doing *pro bono* work and criminal law for people that I think deserve it, for continuing to do some legal aid work for some people who need good counsel in very, you know, technical cases. Um, but you know, I think practices are evolving or are changing a little bit right now again too.

**AKM:**

Legal aid certainly is.

**CW:**

It is. It's changing and uh, the...more collegial type of past relationship I think is, is developing into more of a business relationship between lawyers and legal aid. I hope they don't lose the consultation, the level of consultation they've had in the past. I think they've got some great younger people who are coming out and doing, uh, duty counsel work now, and duty counselor ... certainly starting to fulfill more roles. It looks like we're heading towards a more institutional duty counsel approach. And I really like and respect a lot of the people who are now coming into that process as younger lawyers. Um I think they are going to hit a bit of an experience gap, with the more technical areas, the more difficult cases, and that's why I think there will always be an independent bar. But I think you're going to see the independent bar diminished and more of a structured legal aid-style representation for people who are emerging more and more over the next few years.

**AKM:**

So you did a lot of legal aid work in your early career... your early practice?

**CW:**

Absolutely. And I have continued to do it. Um, I have continued to do it out of the sense of social justice. Because one of the difficulties up here in Thunder Bay, in the north, we've had trouble getting younger lawyers interested in, number one, in coming up from, from other communities or coming across from other communities. We're relatively isolated up here. Our bar has diminished a lot throughout the years. We've lost you know, various top lawyers such as **Levay** to cancer. Others to you know, such as Alfred Petrone to, just to retirement. Um, we've lost some to the bench. And some have, some have moved to other jurisdictions. And our shrinking bar up here has meant you know, a very high, heavy workload on those of us who have chose to remain in the practice in this area. And I think really given the state of affairs up here and in this region, um it's almost required, I think, that people such as myself continue to assist in practising in those areas, even if they don't technically have to. You know, I don't think technically I need to practice lot of the cases I do. I just don't see...

**AKM:**

You mean from an income point of view?

**CW:**

From an income point of view or from even just a necessity point of view. Well I mean from an income point of view... more from the necessity point of view, there's just isn't the number of lawyers out there that are needed in this region to do the type of work that we do.

**AKM:**

So you gave examples of people retiring and so forth, but you don't think it's a systemic problem of lawyers moving out of this area or...?

**CW:**

Well, and I mean certainly that was identified as one of the important factors of bringing a law school into this region. And uh you know, certainly I think if you look at, I mean we can talk of the larger social implications of the [Indian] residential school [system], the impact on the high number of First Nation communities up throughout the north here, and the significant over-representation of First Nation people in the criminal justice system up here. So we deal with the tremendous *Gladue* wait. We have a significant rate of persons from First Nation background involved with the justice system throughout the north. And when you tie that in with the residential school history, it's no big surprise that that's happened, with loss of culture, with the impoverishment, the educational factors, the substance abuse that flow from those issues, you know, the destruction of cultural ties. I think that all those things blend into...have created the level of difficulty up here that exists. And, just as significantly, we're an isolated community and we do have fairly significant substance abuse issues generally across the board up here. The level of violent crimes seems to have escalated even more in recent years. And I think unfortunately, yesterday the statistics were released that Thunder Bay was the murder capital of Canada.

**AKM:**

Yes.

**CW:**

And you know, from the perspective of um, people such as myself who have been involved in this practice since 1995 articling, I hit the courts articling probably in '93 and, thrust into the middle of the criminal law milieu at that point in time. You know, I can't think there's been that many days I've been out of criminal court ever since that day. And you know, it's been an unbelievable workload. When I really think back at the level and the amount of cases throughout the years, it's really quite mind-boggling. I couldn't even imagine how many trials I've done during my career. I mean it would have to number in the thousands, I suppose. In terms of serious cases you know, right from cases you know, criminal negligence causing death, cases, homicides, you know, first degree murder cases, second degree murder cases, manslaughter cases, you know, up to the Ontario Court of Appeal, triple, triple first degree murder appeals... you know, so I mean, uh, probably myself, I was thinking about how many different cases involving death, that I'm involved ... probably over twenty during my career.

**AKM:**

Really.

**CW:**

And presently I have three homicide cases that are before the courts at this point of time; one youth and two adults. One's from Thunder Bay and one's...and it would be the rare time in my career that I haven't had at least one homicide case or one matter going up to the Ontario Court of Appeal that have not been before the courts on very serious cases.

**AKM:**

We go back to you starting in criminal law. Is that what you imagined you would be doing?

**CW:**

No. No I didn't imagine that I would be doing criminal law because you know, I really thought I'd be an entertainment lawyer.

**AKM:**

Yes, but after that, after you started. Is this the kind of... has it panned out the way you thought?

**CW:**

Yes. Yes... from a couple of different perspectives. Um, you know I know that I probably could have made a lot more money if I had gone into corporate/commercial law or corporate/commercial litigation or worked for a large corporation. Or even gone at that point in time early in my career into personal injury litigation. And certainly, at least at the time I left law school, I wouldn't have had difficulty engaging any law firm at that point of time, given my marks, and those sorts of things coming out of law school. But you know, I didn't, I don't think the traditional mode type of person. And I felt more comfortable working in an environment of social justice, social justice issues and I think Alfred, meaning Alfred Petrone even then, and Celina [Reitberger], there's this just heightened awareness of value, and the fight for the underdog, um, has always been such an important part of what they had. And it's always been a part of me. I've always kind of you know come to the defence to the person who needs help. And that's part of my psyche and I.. You know, I think that criminal law defence work as part of what I do as a human rights issue, the Crown has, and great Crowns, and I know a lot of Crowns... very dedicated, wonderful people who do a great job. We have a very different relationship I hear than in the southern Ontario where there's much more... it's still adversarial



here, but it's more probably back to a different time. It's more collegial, there's more of a discussion.

**AKM:**

Why?

**CW:**

Uh, because we all live in the same fishbowl. We're all in the same fishbowl every single day in front of the same judges every single day. And there's more of a sense, I think, of the ability to communicate because you know that person you're going to deal with them tomorrow, you're going to be in front of the same judge the next day. The same Crown, you're going to be across the table from them, uh, so, you know, everything... when you're in a fishbowl, you do something today, it's remembered tomorrow. Right? How you conduct yourself is measured every day by how you conduct yourself the next day. So you're not going to act in a certain negative way one day and not have to live with that the next day. So I think that sense of, um civility, I think that's one of the terms that is used today, is greater in a situation where you have more interaction on an ongoing basis. You know, it would be nothing unusual for me to go in, fight very aggressively for a client, contest the Crown on every point, go back out of the court room and ask them how their kids are doing, I know all their names, and talk to them about what their plans are for the year, and sit down and have discussion with them on very personal level. And then go back right into court, challenge them on every evidentiary ruling, challenge their thought process, go right back out and continue that conversation. And uh, because I think there's a divide between your professional life and your personal life, and that kind of civility that perhaps was more, uh more present in a different time within the greater legal system, still remains in an isolated community. And because of our isolation, the weaknesses with that of course are social isolation and those sorts of things. The strength is that you can build really great relationships and yet still do your job very well. And you know, I think that's one of the strengths of living up in this area and working up in this area is that you can have kind of the best of both worlds, and also time with your family. Uh, you're not doing the commutes a lot of people have to do in the larger cities. You're not putting necessarily the number of hours in at the office. I'm not saying that doesn't happen at home, because you have to put those hours in one way or another to prepare properly. But I just... I obviously love Thunder Bay and am proud.

**AKM:**

You're a good salesman. Have you been able to attract articling students and... up here?

**CW:**

Well this is one of things that uh, we have, you know, I'm always talking to my friends in Toronto. I have some good friends down there in the bar and, and it's tough to get people to relocate up here. You know, there was one fellow though, and he didn't article for me, or come up, but I'll approach a person who's in from out of town, and I'll say, "Look, look around", and they are up doing a case. I'll just encourage them to come up and be a lawyer in our area, even though technically they may be a competitor, I just think that we need more-well trained people. And again maybe that collegial atmosphere reflects on the relationships with other defence lawyers. I think we all respect each other here. We all get along fairly well. We often sometimes go out for lunches together, and you know, we're encouraging more lawyers to come up. So this one young, uh young man the other day, I said, "Well you're back". And he said, "Yeah, I took your advice." And he said, "I'm coming up and I brought my wife up and she's a nurse

25 of 46

practitioner, and she's setting up her practice and I'm setting up an office." I said, "Well, great!" You know so, it can happen, but it's more rare than not. And this is why it's critical, critical that we have a northern law school uh, because statistics tell us, that even from the creation of the northern school of medicine, it's that when people are graduating in that community, they're much more likely...

**AKM:**

They'll stay.

**CW:**

...to stay in the community.

**AKM:**

Hmmm.

**CW:**

Yeah.

**AKM:**

I understand that. You mentioned about the collegial aspects of being a lawyer up here. I don't know if you are aware of a study that the Law Society put out in 2005, I've forgotten the name of it, but it's regarding lawyers and disability, um, lawyers with disabilities in the profession. Do you know anything about that study?

**CW:**

No.

**AKM:**

The Law Society was interested in increasing access and dealing with equality issues within the profession. And they did contact some people with, um some lawyers with disabilities, so they probably didn't contact you about that.

**CW:**

They perhaps...

**AKM:**

They maybe did. It was not much of a consultation process, a lot of telephone and so forth. But one of the results was that, um, mentoring is extremely important to increase the probability that a lawyer with disabilities will stay in the profession. And also, um that, that private practice is very rare for a lawyer with disabilities to be in. But you've made it work up here. Or what is your sense about that? Do you think that it is more difficult to be in private practice if you were a lawyer with disabilities, thinking of other lawyers that you know, who maybe are dealing with impairments?

**CW:**

Well, (pause), you know again I always turn to kind of the person who I think of as having a high level of injury, which is David Shannon...

**AKM:**

Yes.

**CW:**

...and yet, David is very independent and just values his independence to such a significant degree. He's always either been, you know, in a top management with the Human Rights organization or he's been a sole practitioner.

**AKM:**

Umhmmm.

**CW:**

I think my injury drove me to a thought that I wanted the flexibility of being an independent practitioner to deal with those days perhaps when I would need that flexibility because of injury. And also just that kind of sense of independence that you know, comes with going through some... perhaps was always was there, but it was even more heightened after my injuries. So I guess it could make sense that some people might feel that way, that they want the protection of a larger organization because being, you know, self-employed, out there on your own, and if you're dealing with injury it can be pretty scary because there's not the safety nets, and often you can't get insurance, you can't get those sorts of things to deal with it because of your injuries. So I can see how people could get into that mindset.

**AKM:**

Were you able to get insurance and so forth? Have you faced those kinds of issues?

**CW:**

Certainly, I have to pay increased premiums and those sorts of issues. It's much more difficult when you're dealing with pre-existing injury to get insurance coverage and those sorts of things. You're the fall-back plans are not nearly as great. It's a reality and I'm just thinking that perhaps in a larger centre, which I haven't really experienced a larger centre law practice, you know a lot people who are dealing with injury and/or what's called disability may feel more comfortable in that type of situation because they have more protection; there's more insulation there for them. I am on the other hand, not one big believer in insulation.

**AKM:**

Or protection.

**CW:**

Or protection. So, you know and I don't think David is as well or we wouldn't have jumped out of that plane at 30,000 feet.

**AKM:**

I can... yes. At any time have you felt that the injuries you've sustained have caused you to be isolated or discriminated against by others in your profession?

**CW:**

[pause] [sigh] That's a very interesting question, as I've never thought about that.

[pause] Um, you know, I don't, I don't think about things in that manner. I don't um, I really think that lawyers as a whole especially in the years that are kind of transition through from the

1980's, are generally pretty accepting people. You know, they are generally pretty accepting people that understand equality rights, they understand um, you know, human rights. I mean, we're taught to be analytical and I've never felt, I've never personally felt, a sense of discrimination. I sometimes feel there's a lack of understanding, which is different from discrimination. For instance, you know, you're in court a long period of time, you're shifting around, you're uncomfortable, you're not feeling well, um you know somebody may give you a look like, you know, "Why are you doing that?" They are not necessarily turning their mind to the fact that you're injured, and that you have to shift or whatnot. I think that because my injuries are not as physically noticeable, that, you know, I mean I'm not missing an arm for instance, my arm may not work perfectly but it's there, you're not giving the same visual clue to people to set off that reaction? So I think I miss a lot of that personally. You know, you do get a sense when for instance, a person with a more apparent disability comes through, that people do stare; they talk. You know, I think that's part of what happens to people in that situation. And a lot of times there isn't a lot of recognition within, within the older court systems of what it means to be dealing with those sorts of things in terms of hand railings, special washroom systems, you know. And I'm thinking about when David decided to come and help me out with some criminal law matters. And he's been coming to court a bit, and you know I mean you can imagine the process that David shows up for court on time, everyday, but just in order to get in robes, in order to get dressed, I mean it's way more hours than the average person and yet, he always shows up for court on time. I mean it's what people don't see that I think is the difference often, in terms of what it takes to hit the same benchmarks and levels. I mean whether you are Chris Watkins whose got, you know, a neck injury, a shoulder injury, and these sorts of things that are not too apparent or whether you're David Shannon who has, you know a very high level of injury, not necessarily disability, but injury, or whether you're considered to be the able person, and again I dislike that, because everyone carries things in, you're all expected to be in court at the same time by the judge. And that's good. It's good. There shouldn't be a difference. If you're going to be, you want to be there, but there isn't the allowance in the system. And I think if you started showing up late all the time, you're not going to get the same, same kind of slot.

And one of things that I was dismayed at of course, when David started appearing in our local Ontario court of justice system -- thankfully we're building that entirely new courthouse here in Thunder Bay, and that new courthouse is going to be very accessible -- but just to get up the aisles, just to get around counsel table, I mean the barriers that are placed there for a person in a wheelchair are incredible. I mean, you know it really shows you how far we've come in a short period of time to recognizing that people with disability, again a different way that they have to move, in better terms, like in a wheelchair, very inaccessible.

**AKM:**

I appreciate that and I see what you're saying about the distinction between a visible impairment or injury, and an invisible one. But you have, as you say, very real injuries that impact how you function on a particular day too.

**CW:**

Absolutely.

**AKM:**

How do you manage that in your practice?

**CW:**

Well, you know I think I've missed... if I can count three or four days in the last, you know, fifteen years that I've missed work... I just think a lot of it is just um, [pause] dealing with it. Just you have to have that attitude that this is your job. You know, if I'm waking up and I'm in pain, I still have to be there to represent my clients. I still have to be sharp. I have to be... I mean, I'm their advocate. They put their trust in me. I've got to be there and I've got to be on the top of my game and I have to put that mentally aside in my head and put that pain into wherever quadrant of my brain and focus on what I've got to do and be the best I can be. And then when I go home if I have to lay down or if I have to put a heating pad or cold pack on my neck or on my shoulder or close the door and you know, for ten or fifteen minutes before I get up and start working for the next day, I mean I think it's about a tremendous amount of discipline. [pause] Discipline. Mental discipline. Yeah.

**AKM:**

Interesting. What about (pause) clients with disabilities? Do you, you mentioned about personal injury now, but at the beginning of your practice, did you have, did you... you don't like the word "disability" and I appreciate what you're saying about that, but did you search out clients or did they search you out, that had injuries or... I know that you see things on a continuum, but I'd just like you to speak more about that, your special, let's say ability to understand.

**CW:**

Right. I think that that was one of the things that drew me into criminal law because, and again we're talking about, um physically apparent disability, or other forms that we consider disability. And what I started realizing very quickly is that a large percentage of the people that I was dealing with in terms of poverty law, legal-aid defended clients, have one form or another of what society would class as a disability, whether it be learning disabilities, whether it be psychological disabilities. I deal with a great number of people with mental health problems in the criminal justice system. Whether it be youths with ADHD, or whether it be people who are suffering from anything from full-blown schizophrenia to schizotypal disorders, to what's now called, "bipolar disorder" (what was in those days originally called "manic depressive disorder"), um, you know, a tremendous amount of people with substance abuse issues. I mean before *Gladue* became prevalent, it became very clear to me early on in my practice we're dealing with a great number of First Nation people, and you know, I'm talking to a lot and it became very apparent, that many of them had not been able to function well in school. That many of them came from extreme areas of poverty, that the interactions with a lot of their parents were impaired. Many had been victims of sexual abuse. Many had grown up in environments of extreme violence. So many of them were carrying large issues of depression, coupled with substance abuse issues. Some had significant psychiatric disabilities. Many were carrying physical disabilities in terms of diabetes, the effects of poverty in terms of diet. You know, some were obviously not functioning well on an intellectual basis. Some intellectual impairments, and you know, it's kind of the, the initial understanding in origins of fetal alcohol syndrome, of FAS and the impacts of that on people.

**AKM:**

Was this something that you learned as you began your criminal practice through your aboriginal clients?

**CW:**

Absolutely, and through non-aboriginal clients as well. You know, so it became fairly startlingly clear within the first year and a half, that there was a very strong nexus between representation

29 of 46

of people in criminal law and dealing with people with less apparent disabilities, to use the word. And um you know, from a social justice perspective again, you know, that crime, law and society, it was all about societal views and why does society end up with criminal behaviour from a sociological perspective versus the learned behaviour versus innate behaviour or programmed from birth. And you know again, following along the psychology degree and working through that, it became very apparent to me about those links, and it became more apparent that the traditional form of throwing people in jail was not the answer.

**AKM:**

And do you identify with people with a form of mental illness or a learning disability?

**CW:**

Sure. Sure. I think that I empathize with that. I can empathize with that individual and have perhaps... I think there's much more understanding today but in those, those years even like fifteen years ago, sixteen years ago, seventeen years ago, I think, you know, and even today to a certain extent, people think well, you know, "you've done something criminal, or you're alleged to, you're a bad person". I think there are personally very few bad people. There are a lot of people who have found themselves in very bad situations, and sometimes criminal situations. And you know, the first role of a lawyer of course is to look at things from an evidentiary point of view and to see whether or not the Crown can prove its case. And challenge that assertively? at every level and use your intellectual powers to do that. Then there's a group of people where that won't work. And then you look beyond it to the sentencing process. And you know, this is pre-*Gladue*, and you know, you start developing more of a focus on how do you get people the assistance they need so they don't come back into the justice system. You start identifying with the issues. That there's strong links between poverty, drug addiction, alcohol addiction, and criminal behaviour. And you know, it comes down to this philosophical belief that you know, incarcerating people is not the answer unless you need to protect society, society to a level. There are people who perhaps through no fault of their own are so badly damaged that they can't function safely within society. And because of that they have to be in a setting where they have to be distant from society. I don't necessarily believe that the traditional jail is the place for them. But I understand there has to be distancing to protect other members of society. Even though it may not have been that person's fault in the greater sense that they ended up in that situation with those life experiences that have led them to that criminal behaviour.

**AKM:**

Very interesting. I see as a person with impairments you consider yourself a path breaker obviously. You've been busting down barriers including at the North Pole. Do you consider yourself a path breaker as a lawyer?

**CW:**

[Pause]. Well I think that as lawyers, you know, I'm so well trained I always answer questions with questions right? I've been too well trained as a lawyer through the years, you know it always buys you a couple of seconds, [laughter] but...

**AKM:**

And theatre. Don't forget your theatre background. [laughter]

**CW:**

Yeah, you can't lose that. I think that, I think of law as being a combination of art and science. Right? And I think that you have to think creatively. I um, you know, don't always think within the four corners of the box. I always try to cover off the four corners of the box, but I'm not beyond trying something novel or new. Um, it's not always worked. But sometimes it does. And you know, if that means being a path breaker, well sometimes I think we get broken by the path. [laughter], and that's happened. Sometimes you get the path a little bit further. I like the idea of challenging what's considered to be norms and to try unique approaches and some have been successful and some of them not.

**AKM:**

Give me a couple of examples.

**CW:**

Well I mean, for instance right now. Let's talk about what I'm involved with right now. Which is not unique in the sense that the issue hasn't been raised already, but I think the issue in terms of, of focusing on the other side of *Gladue*, right? the other side of *Gladue*, the other side of residential school. You know, and I'm just involving myself in this process of challenging the jury array in Thunder Bay because of a non-representative jury pool. That there hasn't been adequate first nation representation. Which becomes a national issue if you start looking at communities that, that have a large First Nation population in their base to get juries from. I mean, I wasn't the first person who initiated that process. But one of the aspects that I'm arguing within it, as was touched on a bit by counsel by the name of Faulkner in the inquest that followed the Ontario Court of Appeals' decision to remit, remit [Jacy] Pierre and [Reggie] Bushie back to the coroner to make a decision on that issue of representative jury. And what he said is that, what he, you know, in his submissions which are quoted in my factum, is that, you know, our expectation of people such as a sheriff is that they're educated in, um in the aspects of the difficulties that First Nation people have; their uniqueness, and develop unique approaches to dealing with the issue of engagement. So when I started thinking about that, then I went to the Ipperwash inquiry and I started looking at some of the research data that had been provided to them, and found the [Jonathan] Rudin paper on a, on a aspects of the criminal law and aboriginal people's engagement in it ["Aboriginal Peoples and the Criminal Justice System"], and you're looking at statistically and that's talking about people historically involved as accused people, not as jurors. But then you know, it became startlingly clear to me that the same factors that would lead to people being engaged or overrepresented in the justice system as accused people, may be the same type of factors that linked to people being underrepresented in the, uh, uh in the form of being triers of fact in a judicial system that that has historically not been favourable to that same group of people. So well, overrepresentation of people, as accused people may be the inverse coin of underrepresentation of people in the jury pool. So I've put that argument together and I think I've made a, I've drawn the nexuses between those reports and why it would lend itself towards that process. I've incorporated that into my argument. I mean, "Is that novel?" I don't know. But I think we have to look always at those kinds of things and not just stop and... sure the legal argument is there as well: section 630 of the criminal code, section 629 of the criminal code, "challenge the jury array," Supreme Court of Canada decisions Nadeau, Bain, Barrows], Ontario Court of Appeal Bushie. But I think sometimes you can go beyond that a bit as well. I mean the law doesn't move in great leaps and bounds, but you can try to look at something outside of the norm and incorporate it into that. You don't miss all of your legal points, but look at some other, other aspect of it in order to make change. So I think that...

**AKM:**

Turn something on its head a little bit.

**CW:**

Just a little bit. Just a little bit. And, and stated at the end of the day, sometimes if the system is broken, tear it down, rebuild it. And, and there will be problems along the way. I mean one of the potential problems of this motion to the system is institutional delay. And we now have a situation in Thunder Bay where we have jury trials stacking up. I mean this could lead to Ashcroft problems. It's a significant potential legal issue. But at the end of the day the difficulty has to be fixed first. And sometimes the only way you can do so is to create an issue that creates a high amount of public awareness but not always necessarily positive public awareness but there has to be a focus on the problems in the system before you get it fixed.

**AKM:**

Pain before gain.

**CW:**

Pain before gain.

**AKM:**

Hmm. Interesting.

**CW:**

And you know I think, as well, involving myself on cases against, on behalf of first nation people, earlier on in my career, against child welfare agencies, and you know engaging the idea of loss of culture, uh that was before that was one of the issues was really hitting the mainstream, and I think I being a little ahead of the curve on that. Um, you know I think engaging in a practice of law with a lawyer with First Nation background, my good friend Tyler Woods who worked there for a number of years off and on. It wasn't really something that during the initial point of my career that was really, really often something done; at least not openly. And to me it was just a no-brainer. The guy's a brilliant lawyer; I don't look beyond that. You know, he's just a very smart man and what he brought was an understanding to me of the special history. I learned a lot from my involvement with him about the things that we came to know as *Gladue*. And I mean, we were arguing those kinds of factors before *Gladue* was *Gladue*. And you know, I think, you know, I don't know if ground-breaking... I think I've always been able to take a novel approach. Even in the Shaun Davis case, which was the... Davis was the individual, I don't even remember the year I did that case, but he was charged with either second degree murder or manslaughter, and what happened was Mr. Davis was returning on a Greyhound bus from out west. During the case, he got up, there's an interaction between him and the bus driver, he grabbed the wheel of the bus, took it off an embankment and there were numerous physical injuries of people. And older lady, an elderly lady died in that accident. And it's now a big civil case up at the court here in Thunder Bay. And I defended Mr. Davis. And Mr. Davis, it became pretty obvious to me he had, you know like ADHD. Didn't have significant mental illness, but something about the process just didn't seem right. So I started exploring the process. And I talked with the forensic psychiatrist and we got hold of a forensic psychiatrist, and it became apparent (and this is in the days of automatism, non-insane automatism insanity defences, it had transitioned into Section 16 of the criminal code but those defences were still kind of live, and there was lines of case law going along all of those issues). And what became apparent was that Mr. Davis had been described a medication which was essentially an amphetamine

32 of 46



and he was taking his medication, he took a lot of that medication, a great deal of that medication and it was in the context of that that he got off the bus, he had talked to police, and police put him back on the bus, to come down here to a psychiatric hospital and there was quite a hue and cry over the issue of putting people with mental health issues on ...

**AKM:**

I remember.

**CW:**

... on, buses and this was kind of another issue that I petitioned for a stay of proceedings if, if the first motion hadn't worked; which was for a finding of not criminally responsible by reason of mental disorder. And you know, the first thing comes along, is this self-induced intoxication? Because of course, if it's self-induced intoxication it doesn't fall into the realm of not criminally responsible by reason of mental disorder. So again I did a lot of research and what we came up with at the end, as we sat down, and we realized what was happening to Mr. Davis, is that Mr. Davis has not been familiar with his medication. And not realizing, taking something for an illness which makes you hyper is an amphetamine, which actually focuses your concentration -- he was just told this medication is going to calm you down. Right? So he started taking this medication and the first one calmed him down a bit. But then he took some more of the medication because he didn't feel calm enough. He thought it was a form of tranquilizer and it would just calm him down. Well he took some more which sped him up. And then the medication started... so he started to feeling much more anxious. So in order to deal with his anxiety he took more of the medication, which was suppose to calm him down, which was an amphetamine, which made him feel even more anxious. So he got into this, this circular problem of over-medicating. But he wasn't doing it for the purpose of intoxication. He was doing it because he believed at the time that it was going to assist him with the, with the level of anxiety he was experiencing. That was kind of a landmark case that was argued in front of Justice Kurisko here. And Davis was found not criminally responsible. It was kind of an offshoot of non-insane automatism. And uh, it was a very interesting case.

**AKM:**

You've had to learn a lot about injuries, impairments of all sorts in your work.

**CW:**

Absolutely. Absolutely. We deal with, um, you know, on a day-to-day basis we deal with a lot of people with injuries and impairments.

**AKM:**

Do you find any conflict at all in your own, um, way that you define injury and your dislike of the word disability? Then over here you're a lawyer and you have to use a more standard, um vocabulary and perhaps set of meanings that don't fit your ideas.

**CW:**

Yeah, Yeah. I think I'm able to, again, discipline myself to ensure that in representing people that I stick to the traditional, um, the traditional concepts, words and norms while I'm in the court environment and if ever challenging those, I'm not putting my personal belief beyond that of my client. And even though I may have a personal thought on that and may vocalize that in a public forum, I understand that the accepted words, terminologies and norms and the things the courts deal with and, and in representing your client it has to be your primary interest as an advocate.

33 of 46

And even though you may hold these beliefs in terms of how to break down these norms, I don't think experimenting with your clients is the way to do that. You experiment in your personal life with how you do that. You experiment in your personal ventures with other people such as the North Pole, you experiment, you do that as an advocate which any counsel should be an advocate beyond their role as a lawyer if they have an interest in whatever. And lawyers do tremendous number of humanitarian things. They involve themselves with boards and panels. They do as much volunteer as any other forum. But I would say those viewpoints, those um, perhaps unusual beliefs, if they are considered that, I don't want to use that, but if they are not with the norm, I would save those for the right forum. And you know, I certainly have no problem in terms of public speaking, or running for public government and, and talking about those issues, as I'm talking as a person, I'm talking as an individual, what I believe. When I'm talking as an advocate for someone else, I'm talking about their issues and formatting it in a way that makes sense in the forum to put their interests in the best position.

**AKM:**

So there's no conflict really that you experience because of your ability to divide your professional responsibilities to your client ...

**CW:**

Absolutely.

**AKM:**

... and your advocacy.

**CW:**

Absolutely. When I am working with a client my focus is solely on the client.

**AKM:**

You talked about some of the cases, or at least some of the activities that have brought you a lot of satisfaction in your career in the law. What about areas that are less happy for you?

**CW:**

Um,,, you know, there have been challenges throughout the years, dealing with a variety of issues. I mean we all, we all have had our challenges. I've had challenges internally within my legal career. I've had you know, personal challenges in terms of my personal life. You know, I've had my happy moments, my sad moments, my moments when things have been great, my moments when things have been really bad and seemed, and seemed hopeless. I've been cited in contempt. I've gone to the Ontario Court of Appeal and had it overturned. You know, I've had, I've had really good moments and my really rough moments.

And I am a person who is fairly outspoken and fairly definite in what I think and I butt heads in the court. I'm not shy to do that. I think it's probably a great strength and somewhat of a weakness. But it's who I am. And Yeah, I don't you know, I like to think I have a great respect for people and a great respect for our system's allowance to allow people the ability to put their position forward. You know, I respect the judicial process. I don't think that it's perfect. But I think it's one of the better systems in the world, having traveled throughout the world. Um, I'm not going to say that I'm a bit of an anti-authoritarian. I think that people in authority should be very careful how they use their authority. You know, I hope that people who are in positions of

34 of 46

authority never forget their dealing with human beings. You know, that, no matter what they've done, even if they have to sentence somebody to life imprisonment, that they do so out of necessity of what the decision, with a sense of humanity and an understanding, "yes, this person may have done terrible things and may have hurt other people", and those people you know, should be helped to full the extent, but at the end of the day you're still meting out justice to people who are human beings who have not always asked to end up where they are. To do so, keep that idea in mind, that we're dealing with people. And whenever I see things becoming to institutionalized or too impersonal, that's where I get my... I start balking a little bit.

**AKM:**

Witness the changes possibly, or the dangers in the new legal aid system perhaps, in your opinion?

**CW:**

Right. That's, that's one of the fears that I have and that, you know, um (pause) we can't lose our sense of, of the great things about our justice system. I traveled... I was in Kenya back in early 200 and um, you know, this was after that country had gone through tremendous amount in change in terms of its legal system...

**AKM:**

Yes.

**CW:**

... And I had just come down from climbing Mount Kilimanjaro and they were doing an operation on my foot. And, um, great medical system by the way, I was really impressed.

[laughter]

I had an operation. I had a piece of my toe removed, band-aided, nursing help, I was in and out and had a full operation, after care, antibiotics within an hour and a half and by a great doctor well-trained in London. And waited for my bill and it was \$126 and I thought, "Boy, we've got a little bit to learn in terms of wait time..."

**AKM:**

Humbling.

**CW:**

... "wait time". But the other humbling part was when I went to the law courts, which looked very much like ours based on the British system, they were in disarray. People sleeping, you know in the aisles. Military people outside with AK47s. Um, you know, very intimidating. A gentleman who came up to me who shoved a bunch of papers in my hand, and said, "Would you take", which I did, I brought them over to somebody in the Law Society here. And I said, "Who were you?" He said, I think he said, "I'm the president of the Law Society". And he looked terrified. And it was an anti-corruption paper, and it was a pretty stark reminder to me of what can happen when you lose your justice system. And just how fragile, you know society can be. So with that being said, I'm pretty happy we have the system we have here.

**AKM:**

You are an advocate over here, and an advocate in the justice system here, and you also ran for politics.

**CW:**

Yes.

**AKM:**

And you're involved I think with the Liberal Party as well.

**CW:**

Yeah. Absolutely.

**AKM:**

And municipality as well.

**CW:**

Yes.

**AKM:**

Now, why?

**CW:**

Um, again, I think there's multiple reasons why. I think when people are younger especially; some of their focus is on the excitement of being involved in the process.

**AKM:**

You mean you, when you were in...?

**CW:**

Yeah. Yuh, Yeah. The excitement of being involved in the process is very, very intriguing when you know, the political process is a very intriguing process; I'm just being starkly honest here. And it's very intriguing. And it's very interesting. And it involves public speaking and it's a very interesting process. But, I was also a person, you know, well before my disability, I think I was the youngest public relations manager for the Canadian Cancer Society here locally; as young person. You know again, my family put a lot of social value issues into us from a very young age. I was doing public speaking. And I just, you know felt that, number one, if you want to create change or the greater change in the system, you become involved in the political process. Because at the end of the day, it's the political process that creates the laws that bind us as advocates. So, you know, a couple of things happened. Number one, I had to find a party that I agreed with its principles and philosophy which are social justice oriented. I found a good fit early on in my career with the Liberal Party.

**AKM:**

When was this, by the way, Chris?

**CW:**

Uh, the Liberal Party was actually when I was still in university. Um, back in university days and you know, I just had always identified with Liberal before that, but had never involved myself actively in politics with the Provincial Party. I did run for Student Council in university. My first

36 of 46

degree was Member of the Student Council in university, as well and again politically internally within the Law Association. And right from the first one back in my twenties and the second one, I was always running for some sort of office with just this belief you have to help out. You know, you have to get involved and you have to help out. And I think I always continued that kind of thought on. You have to get involved. You have help out. You have to make your views known. And people will decide. That's what the great thing about democracy is. Is that people will at least get to hear your views and whether you're successful or not, people listen. Other people may adopt them. It's how you create change. It's how you make a healthy society. People may not like any of them, and that's fine too. That's democracy as well. But at least you've had your chance to advocate in what you believe in, and the principles you believe on. So, you know I um, I involve myself in the Liberal Party.

**AKM:**

Is this federally by the way?

**CW:**

Uh, both.

**AKM:**

Both. Okay.

**CW:**

Both. I was involved both provincially and federally. On a federal level, uh, I was uh, you know, on the Liberal Party of Canada Board of Directors. I was a Northern representative, and Vice President Northern. I was involved with the local riding association, always at one of the highest levels of the local riding association. And the candidate that I was primarily dealing with at that point of time was Joe Comuzzi; who ended up becoming a cabinet minister in the Paul Martin government. And interestingly enough, thrown out of the Liberal Party by his predecessor. And he found himself sitting as an Independent for a period of time. And then he moved over to the Conservative Party at the end of his career and traveled extensively the world as one of the right hand people of Prime Minister Harper.

**AKM:**

You've stayed Liberal.

**CW:**

I stayed Liberal. But I've never lost my friendship with Joe Comuzzi. I still believe that it was horrifically wrong with the years of hard service that he put into the Liberal Party that over a decision affecting funding for the Paleo-DNA Laboratory up here in Thunder Bay, as a matter of principle Mr. Comuzzi took a stance on that budgetary issue for his constituents based on constituent representation, that that particular leader of the Liberal Party took that harsh an action on somebody who put that many years in working for the Liberal party, right up to the level of Cabinet minister. So, you know, I maintained a good friendship with Joe Comuzzi and after that point of time I distanced my involvement with the federal political process. I mean, I still go talk politics with

37 of 46

people. And I do support some candidates. And I've been very involved in campaigns team and managing at the higher level of political campaigns. I very much involve myself with provincial politics now. I continue too. And um, one of, um, after I moved from Winnipeg, I'd been one of the supporters of Reg Alcock, who had also been cabinet minister in the Liberal Government. He was Minister of Finance at one point and in the Paul Martin government as well. I was articling for Petrone's and in walked this young guy, very nice man, got a sense right way that not only was the person a hard worker, but very interested in social justice, social values, smart, articulate, really just hit off a friendship with him. Our families had known each other from the days in the military. His father was colonel who had been wounded on D Day. My dad was in the navy. My grandfather was also in the same military regiment as his father. My father, my grandfather was major in the LSSR, the Light Spear Scottish Regiment and served with Michael's father. And that was Michael Gravelle. And um Michael and I have become through the years very close personal friends and I've been involved with all his political campaigns; and including the most recent one. And he's a highly regarded individual by, regardless of party, by people up in the North here, as being a hard worker. Who again, you know, as a person in opposition in those days, took a lot of good stances on social justice issues, on disability rights. And is now entering his second or third session as a Cabinet Minister in the Ontario government. And I think this round, he just got Minister of Natural Resources and he's also got the Forestry portfolios. Well the last round he was Minister of Mining and also Forestry as well. And he's been a huge engine for uh, economic development and the growth of the North through very difficult times. And again, that Northern person within me ...

**AKM:**

Hmm, hmm.

**CW:**

... has said, "This was a special person, Michael Gravelle. And here's a person that can help the North. Who can, you know, represent the people well and be an engine for change and for growth the North." And I think that's why one of the reasons why I've always stood by him and again, he's a person who is very approachable and is just well liked by everybody. I mean he's that really down to earth guy. And he is that person. And you meet him; he's one of those rare people who just works tirelessly for people. Absolutely believes in what he's doing. He's not doing it for the money. He's doing it out of a belief that it's his responsibility. And you know, those are the type of people I like to involve myself with.

**AKM:**

What was the issue that brought you into the municipal campaign last year?

**CW:**

Um, with the municipal campaign last year, um, some of the issues that were surrounding Thunder Bay had been, how we develop our waterfront. And it's been a contentious issue (laughter)...

**AKM:**

Yes.

**CW:**

... oh, for the last twenty years here. And had I run once before, years before on the issue of, you know, "it's time to get our waterfront developed", and let's look at our neighbour in the States, Duluth, and what they've managed to bring together by forming NGOs, by getting the state, and getting the municipal government leaders, the federal leaders together and formulating the [?] that are required to provide that type of change. And I just felt that there had not been enough headway done on an appropriate development of the waterfront.

That, um, the funding and... but I didn't feel that things were transparent. I had a big problem with that. I have a big problem with lack of transparency. And you know, it seemed from our point of view at that point of time what was happening there was not transparent in terms of the process, of the cost, and those sort of things to the citizen. I'm a big believer in development but I'm a big believer that you have to green space as well. And you have to develop in a principled way. But you have to develop in a smart way as well; that makes sense for the community, for the base, for the tax base, for the local economy and development. Because it's, again, it's a feature to draw people to the North. If you have a well developed, structured downtown core being that the North core, which is appealing to people. It's a beautiful area. But you don't want to develop it such a way that it's blocking existing places, blocking heritage sites. I think you have to really sit down, and I still feel today that nobody has actually sat down and really done a strategic plan of how you develop the entire downtown core, to really develop city. And part of the problem I think has always been the ward system. And I mentioned that in my campaign that you know, when you have ward system you have people who are looking out for each their little piece of the pie. You don't always get good strategic development for a good overall plan for a community. I think Thunder Bay is a wonderful community. We have a tremendous number of great people here. We have some good educational institutions. We're growing those out. I just think that as a strategic plan, that there's never been a solid strategic plan for Thunder Bay.

So that was my one issue. There was also the issue in terms of, how we deal with issues involving Thunder Bay and crime. How we deal with the issues of Thunder Bay and interactions with First Nations communities. How we deal with Thunder Bay in terms of dealing with the horrendous problems with drug use and substance abuse in the North.

**AKM:**

So, can you give me examples?

**CW:**

Well I'll give you a few examples and this was a recently as the Provincial election. I of course attended the debate. And they had the speaker microphone; even though Mr. Gravelle's there I didn't tell him the question. And I got up and as I usually do at the end, I do it for a number of high profile cases up here. So there's always a camera, talk about the case, and we talk within the realm of law. And then I say, "Do you mind if I talk about an other issue for one moment?" And totally and separately and they always turn the camera and I always say, you know, "Thunder Bay is in desperate need. We have five rehab beds, five detox beds in Thunder Bay. We need a 75 to 100 person detox unit tomorrow Thunder Bay." They never broadcast it. I always say it. I always go off lawyer...

**AKM:**

Five!?

**CW:**

... I always go off lawyer and go, "when you have an 80% addiction rate in Fort Hope of the people there, to Oxycodone and to opiate-based drugs, and probably a 20 to 30% rate of that across Thunder Bay, and you have five detox beds, um, you know, if a person is seeking help versus going to rob a corner store to get more money for Oxycodone, they're not going to find the help. So chances you'll find them holding a knife in the Mac's store that you may be going to buy your stuff in. So, you know I think access to quick rehabilitative care and to detoxification is a critical component. That's why I got up and I said, "Well you know, we've talked about mineral wealth." I said, "What about human wealth? And what's happening to our human wealth in our community?" I said, "I think we've got a massive problem in Oxycodone addiction, addiction problems here." I said, "Will you commit yourself to, you know, a 75 person detoxification facility here at Thunder Bay and to a quick track rehabilitation unit?" Everybody said, "Yes". You know. Which is important. And now of course I'll be going back because they said, "Yes".

**AKM:**

Yes.

**CW:**

They. And the present Minister, even though he's a friend of mine, said, "Yes." So I'll be going back and calling him on what he agreed to. And saying, because again it's something on a social level we need to help with some of the severe addiction issues in the North here.

**AKM:**

I really begin to see how law is one arrow in your quiver about social justice and social issues. But you don't rely on it...

**CW:**



No.

**AKM:**

... personally, or in terms of your community involvement.

**CW:**

Right. Yeah, I'm a big believer in community involvement.

**AKM:**

Very interesting. Is there other issues that you would like to talk about or that I should have asked you about?

(pause)

**CW:**

Uh, no. I think that we've spoken about a lot of, lot of issues that matter to me. I think that...

**AKM:**

And to me.

**CW:**

Yep. And I think that I, I love law. I love what I do. I, you know I've gone through periods where I felt burned out from the workload.

**AKM:**

Is that when you go mountain climbing?

**CW:**

No. No that's when I relax. Um, and think. And unwind. Because with the world becomes... when you go mountain climbing and you're on a trail or you're on a side of a mountain and it's freezing cold, you're not so worried about showing up for court the next day, or developing your argument. It's more about just living and dying and getting enough food to eat. And life becomes very, very simple. And everything demagnifies, and becomes very focused on very simple things. And you get to that point where it's just about survival, um, and, and not just survival, but also very peaceful, it's about one foot ahead of the other. And a trail or a beautiful scene, or a, you know, a tree growing and you get to remember that there's a sky up there that we should all look at once in a while; that exists and is beautiful. And um, and we're so busy and preoccupied in a very complex world we miss a lot of what's happening and what's out there. And it deprograms you from all the things that were programmed so much, whether it be by media, or by our jobs and our careers. And it's good every once in awhile to clean the slate out and to deprogram ourselves and come back with a fresh perspective. And I think that simplicity is very peaceful to me. It puts me into a place where I feel serene

and relaxed and as challenging as that can be, it's an escape and one that I enjoy. So I think that's the importance of that.

**AKM:**

Do you see yourself being in law in twenty years still?

**CW:**

Absolutely. Absolutely.

**AKM:**

And in Thunder Bay, I think.

**CW:**

Absolutely. And still likely doing exactly what I'm doing today but maybe a little bit, I won't slower, because I'll just get a really fast chair like David and I'll be going faster than everybody.

[Laughter]

**CW:**

But uh, you know I still see myself in the courts. I still see myself there quite a bit. I still see myself defending people as long as my abilities keep me to a level where I can professional perform to a level of competence, I'll be out there doing what I'm doing. And, you know, I think that, I've thought through potentially the other roles that you can have from a legal career. And you know I was a chairperson twice in the Canada Pension Review Tribunals so I've done the quasi-judicial role. And I really enjoyed it. I did. That makes you think about you know, the potential for applying to judicial positions. But awhile back I came to the conclusion that I'm just not that great of a fit for that role.

**AKM:**

Because?

**CW:**

Well, because, um, because people need people like me to be out there to defend them.

**AKM:**

You're more useful on the other side?

**CW:**

I'm more useful on the other side. I mean, uh, you know, I feel comfortable where I'm at. I feel comfortable in what I do. I don't know if I'd feel as comfortable in another role. I feel it's important what I do, as much as sometimes people I'm sure disdain what I do. I understand that though. I understand how people could dislike a criminal defence

42 of 46

lawyer if I'm viewed as that. Or, you know, I do get a lot of positive things in the community because people know I do more than just criminal law. I do a lot of human rights litigation. But I can understand how a victim's family, for instance, can just absolutely hate everything about me without knowing anything about me. But I understand that's human nature.

**AKM:**

How do you answer that?

**CW:**

Um, I answer that by, by what I truly believe. It's that: I have a role to perform and that it's not necessarily always the popular role. That it isn't necessarily the popular role. It's not the one we cast for, for people to defend people in society. As a matter of fact it may put you in a role where people really dislike you and disdain you. But that's why we have people who fill that role and are ready to do it. Because it's not always supposed to be an easy job. And you're not always supposed to be the popular person. You are important, though, because the Crown has you know, a tremendous amount of resources these days. They have the police department, and forensic department, and experts at their disposal, and other Crowns who are prepared to offer opinions from Toronto and experts, and it kind of goes on and on and on the list of resources. And sometimes two or three Crowns will now be on a file. And then on the other side, if you have the legal aid defence lawyer, it's usually just you. And the people you know and whatever resources you can hobble together. And of course the judge has their overriding role or overarching role. But it's uh, you know, I think that in recent years, maybe twenty years ago it was different. Maybe the playing field was a little bit different but the salaries have raised and the resources have raised... the playing field is tilted much more towards the resources the Crown has than the defence counsel. And maybe that explains why the shrinking defence bar because you know, a lot of that may be due to the fact the better benefits and all those things that the Crown's office places. So you need people like me to get up and to defend people and to do the best that they can at it and place all of their resources at it, or our justice system doesn't work. [pause] It doesn't work. The system becomes skewed. You need people who are prepared to go in there and have the years of experience and training and knowledge and, and are willing to learn new things and keep themselves up technologically, and, and, and you know, build up a group of people who are often willing to offer opinions for nothing in return. And to try to keep those tables balanced to keep the system working. So again, you have to have that belief it is the system. It is the best system. I mean it's the best system that we have. And if the system isn't balanced out we lose our system. Right. And it's important.

**AKM:**

And so belief but also an activism to keep the system going...

**CW:**

Right. To keep...

**AKM:**

... properly.

**CW:**

... To keep the system going properly while new thoughts are being developed. And I mean we're seeing some evolutionary stuff up in this region in terms of...you know, I find it bizarre in a way though that, that Toronto has a *Gladue* court and we don't have one in Thunder Bay.

**AKM:**

I, I meant to ask that.

**CW:**

Uh, you know, I've often mentioned ...

**AKM:**

Hamilton has one.

**CW:**

... I've often mentioned why don't we, why don't we have a *Gladue* court in Thunder Bay and put it out, you know...

**AKM:**

Why don't you?

**CW:**

I'm not so sure I've got an answer. I have no idea. Um, I think it is something that is just required. And I think we need a mental health drug court here too. I think it's another critical thing we don't have.

**AKM:**

The new law school is going to have a focus on aboriginal law and issues too. So...

**CW:**

I think that's going to be a great engine.

**AKM:**

Hmm hmm.

**CW:**

Because many people involved in the practice of law are just so busy at the day-to-day level to go beyond that and just start looking at the greater philosophical approaches and to propound and advocate for these kinds of changes in a smaller community. There may not be the energy there. And you need to get some sort of consensus in a cohesive

44 of 46

group of people. And I think what you will see is the growth through an institution like a law school of an academic base of people who often have those larger issues on their personal agenda. And often because of the areas they teach. I think it's going to broaden the basis of academic knowledge as well as social activism in the legal community locally. Which I think has been somewhat stagnant in certain respects here in the past.

**AKM:**

Maybe a new arena for you?

**CW:**

Yeah, or myself or for David, or at least for openness to thought and process. Or maybe new people to take up the, the challenge in a different way here. I think it's going to be a great, um a great thing for growth in our legal community in the North. I think that it's going to be a very valuable thing and hopefully that will see, you know, the enlargement of things like, like a *Gladue* court that should definitely be in the Northwest Ontario. There is no doubt in my mind that it makes absolutely no sense that that we don't have one. And, and we argue *Gladue* principles everyday up here. Maybe it's because every court up here is *Gladue* court. [laughter] You know, maybe that's the real answer. Every judge here is keenly aware of the all the *Gladue* issues. So you know, probably, probably we probably have five or six *Gladue* courts running a day up here. Maybe that's what the real answer is. We don't formally have the name but we're doing it up here anyways. We were doing it well before there was a formal *Gladue* court. But on the resource side of things to have only, you know, to have pre-sentence reports prepared by probation workers who are doing a great job in putting in *Gladue* components but only one person in town is doing formal *Gladue* reports. I think you know, it's fine that the judges know the *Gladue* principles here and everyday they are applying them. I think it's great the counsel know them as well and are applying them. But I think that the resource side of the *Gladue* court of putting together the knowledge, materials that's the missing component here. Maybe we'll get that through the law school, right?

**AKM:**

Hmm hmm, sounds like it. Well I'd like to thank you very much for a valuable contribution to the project.

**CW:**

Oh, I think it's wonderful that you're doing this project.

**AKM:**

And maybe we'll meet again and talk further too, after I send you the transcript.

**CW:**

I would love to do that.

**AKM:**

Good.

**CW:**

I really appreciate it. I really appreciate that you're taking the time. I think that this sort of process is what makes, um, exactly the social values that we're talking about.

**AKM:**

Good.

**CW:**

Exactly the social values that we're talking about or chronicling a history. You know, hopefully there'll be people who, not necessarily reviewing what I had to say but what people had to say about all these different issues and they'll understand how things have changed hopefully in fifty years time or in a hundred years time. By keeping these chronicles that's really important because students at some point in time can get a better sense of what the value systems were at the time. What was going on, and how things have changed? And how they maybe can change. So I like the idea of it.

**AKM:**

Good. Thanks Chris.

*[Christopher would like to mention by name his five boys, Cody, Kyle, London, Tristen, and Christopher (II). He adds, "Three years ago while working around the time of our civilian/disability record sky dive with David Shannon(28,500 ft), I met my present wife, Jasmine. We jumped out of plane together at 16,000 ft and have been together every day since. She has been an amazing support and allowed me to refocus my life on career and family. With the birth of our son Christopher (II), it allowed me to reprioritize my life and reenergize my career. She is an amazing woman, friend, partner and mother."]*